

REMARKS

Applicants respectfully request the Examiner's reconsideration of the present application as amended.

Amended Claims

Claims 6 and 7 have been amended to correct antecedent basis. The claims have not been narrowed and no new matter has been added.

Rejected Claims under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-26 under 35 U.S.C. § 102(e) as being anticipated by Scott Corey Miller, U.S. Patent No. 6,421,707 (hereinafter referred to as "Miller").

"To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

The independent claims of the present application include limitations not taught by Miller. For example, independent claim 1 includes a limitation of "identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile." As a result, Miller does not anticipate the independent claims.

Specifically, claim 1 of the present application includes the elements of “identifying a delivery mechanism having a plurality of delivery vehicles that can be used *in response* to the user profile.” While Miller teaches a delivery subsystem capable of handling a number of output formats (Col. 3, lines 36-38), Miller does not teach where a plurality of delivery vehicles can be used in response to a user profile, as in the claims. Miller teaches where a user can establish rules which can govern the behavior of a wireless network (Col. 4, lines 48-51, see Fig 4(c)). A user can establish rules controlling which output device is to be used by the network (Col. 4, lines 51-54). These rules can be tell a system, for example, to send an e-mail using SMS if the e-mail is received on a weekday. Although the user can establish specific output devices for a number of difference circumstances (e.g., a permanent rule and a vacation rule, Col. 4, lines 54-60), *there is only one output device available for each specific circumstance*. For example, if a user sets a rule that an e-mail must be sent using SMS if it is received on a weekday, the only way an e-mail received on a weekday can be sent by the network is via SMS. Further, a rule cannot be changed without the user changing it (Col. 4, lines 49-51). In other words, the system taught by Miller is capable of outputting to only a single device, given a specific set of circumstances. For these reasons, Miller does not teach identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile. Further, Miller does not anticipate claim 1.

Independent claims 8, 15, and 20 have similar limitations, and for the same reasons as above, are also not anticipated by Miller. Further, dependent claims 2-7, 9-14, 16-19, and 21-26 depend upon and include the limitations of claims discussed above, and also are not anticipated by Miller.

Condition for Allowance

The Applicants submit that all rejections have been overcome and the present application is now in condition for allowance. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact John Ward at (408) 720-8598.

Charge Deposit Account

If there are any additional charges, please charge them to our Deposit Account Number 02-2666.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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ATTACHMENT A

A marked-up version of the amended claims is as follows:

1. (Once Amended) A method comprising:

creating a user profile database;

obtaining new information;

identifying a user profile from the user profile database in response to the new information;

identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

delivering a notice in response to the user profile.
2. (Unchanged) The method of claim 1 further comprising:

receiving the user profile including a registration request and a criterion of customization from the user; and storing the user profile in the user profile database.
3. (Unchanged) The method of claim 1, wherein obtaining new information includes receiving the new information from communication network.

4. (Unchanged) The method of claim 1, wherein identifying a delivery mechanism includes selecting a Short Messaging Service ("SMS") of Global System for Mobiles for the delivery mechanism in response to the user profile.

5. (Once amended) The method of claim 1, wherein identifying a delivery mechanism includes selecting Simple Mail Transfer Protocol ("SMTP") for the delivery mechanism in response to the user profile.

6. (Once Amended) The method of claim 1, wherein delivering [of intelligent] a notice includes sending [a] the notice in a secure manner.

7. (Twice Amended) The method of claim 1, wherein delivering [an intelligent] a notice includes sending [a] the notice that is customized according to criterion stored in the user profile database.

8. (Once Amended) A system for sending a customized notice comprising:
a processor;
a memory, coupled to the processor, to store a notification agent, wherein the notification agent maintains a plurality of user profiles and each user profile contains a plurality of criteria for customizing the notice, wherein during execution, the notification agent performs:

obtaining new information;

identifying a corresponding user profile associate with the new information;
identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the corresponding user profile;
identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and
utilizing the delivery mechanism to send a notice in response to the user profile.

9. (Unchanged) The system of claim 8, wherein the new information is digital information.

10. (Unchanged) The system of claim 8, wherein the new information is an electronic mail capable of traveling across a communication network.

11. (Unchanged) The system of claim 8, wherein the user profile contains at least a user name, a list of notification criteria, and a list of delivery mechanisms.

12. (Unchanged) The system of claim 8, wherein the customized notice is a secured notice in response to the corresponding user profile.

13. (Unchanged) The system of claim 8, wherein the customized notice is receivable by a mobile unit.

14. (Unchanged) The system of claim 13, wherein the mobile unit is a cellular phone.

15. (Once Amended) An article of manufacture for use in an intelligent notification system for storing an intelligent agent, the article of manufacture comprising a machine readable medium having machine readable program code embodied in the medium, the program code comprising:

creating a user profile database;

obtaining new information;

identifying a user profile from the user profile database in response to the new information;

identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

delivering a notice in response to the user profile.

16. (Unchanged) An article of manufacture of claim 15, the program code further comprising:

receiving a user profile including a registration request and criterion of customization from the user; and

storing the user profile in the user profile database.

17. (Unchanged) The article of manufacture of claim 15, the program code wherein the new information is transmitted over communication network.

18. (Once amended) The article of manufacture of claim 15, the program code wherein identifying a delivery mechanism includes selecting Short Messaging Service ("SMS") of Global System for Mobiles for the delivery mechanism in responds to the user profile.

19. (Once Amended) The article of manufacture of claim 15, the program code wherein identifying a delivery mechanism includes selecting Simple Mail Transfer Protocol ("SMTP") for delivery mechanism in response to the user profile.

20. (Once Amended) An apparatus:

means for creating a user profile database;

means for obtaining new information;

means for identifying a user profile from the user profile database in response to the new information;

means for identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

means for identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

means for delivering a notice in response to the user profile.

21. (Unchanged) The apparatus of claim 20 further comprising:
means for receiving a user profile including a registration requests
and criterion of customization from the user; and
means for storing the user profile in the user profile database.
22. (Unchanged) The apparatus of claim 20, wherein the means for obtaining new
information includes means for receiving the new information from a communication
network.
23. (Once amended) The apparatus of claim 20, wherein the means for identifying a
delivery mechanism includes means for selecting Short Messaging Service ("SMS") for
the delivery mechanism in response to the user profile.
24. (Once amended) The apparatus of claim 20, wherein the means for identifying a
delivery mechanism includes means for selecting Simple Mail Transfer Protocol
("SMTP") for delivery mechanism in response to the user profile.
25. (Unchanged) The apparatus of claim 20, wherein the means for delivering an
intelligent notice includes means for sending a secured notification.

26. (Unchanged) The apparatus of claim 20, wherein the means for delivering an intelligent notice includes means for sending a notice that is customized according to criterion stored in the user profile database.